IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 6TH FEBRUARY 2007 / 17TH MAGHA 1928

WP(C).No. 3409 of 2007(E)

PETITIONER:

THE PARENT TEACHERS ASSOCIATION
REP. BY ITS SECRETARY V.R.MURALEEDHARAN NAIR,
KENDRIYA VIDHYALAYA, ADOOR,
PATHANAMTHITTA.

BY ADV. SMT.S.KARTHIKA
SMT.K.P.GEETHAMANI
SRI.M.S.UNNIKRISHNAN
SRI.T.R.RAJESH

RESPONDENTS:

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1. THE CENTRAL BOARD OF SECONDARY EDUCATION, SHIKSHA KENDRA, 2, COMMUNITY CENTRE PREETH VIHAR, DELHI-110 092, REP. BY ITS SECRETARY.

2. THE JOINT SECRETARY, CBSE, REGIONAL OFFICE, PLOT NO.1630 A, (OLD NO.3) J BLOCK, ANNA NAGAR WEST, CHENNAI-600 047.

BY ADV.SRI.DEVAN RAMACHANDRAN, S.C.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J

W.P.(C).No.3409 OF 2007

Dated this the 6th day of February, 2007

JUDGMENT

The petitioner is the Parents Teachers Association of Kendriya Vidyalaya, Adoor. The students appearing for Xth class and XIIth class Board Exams from Kendriya Vidyalaya, Adoor have now to appear for the exams at Eminence Public School, going by Ext.P1 decision of the CBSE. According to the petitioners, the said school is at a very inconvenient location, having regard to the fact that it is about 13 kms away from Kendriya Vidyalaya, Adoor, while students of Kendriya Vidyalaya, Adoor come from different areas even to that school. It is also pointed out that Kendriya Vidyalaya, Adoor does not have a school bus. If the students were to go by public service, they have to depend on three consecutive bus services to each Eminence Public School. It is also pointed out that on the days of the Board Exams, the students will be put to emotional pressure if they are compelled to undertake such journeys, particularly when the laudable policy of the CBSE is to have a tension free examination scheme. Learned counsel also

pointed out that in Ext.P5, the school had pointed out Thapovan Public School, Adoor as a school within a reach of 5 kms from Kendriya Vidyalaya, Adoor.

2. Learned standing counsel for the CBSE points out that the allotment of another school for the students of Kendriya Vidyalaya, Adoor to have their Board Exams is in terms of Clause 33.1 (iv), which provides that except for Single School Cities, students shall have the examination centre other than their own school, as far as practicable. Having heard learned counsel, I am satisfied that the said clause is itself a laudable one and is in public interest. However, in the case in hand, it may be open to the CBSE to find out the school which could be treated as the nearer school which could be offered as a centre even if that school does not fall within the same multiple school city.

In the aforesaid circumstance, without expressing anything on merits, this writ petition is disposed of directing that the competent among the respondents will take up Exts.P2 and P3

and take a decision thereon having regard to the need and plight of the students. This Court is sure that those entrusted with taking such a decision in the CBSE will bestow due attention to the all-round interest of the students.

Issue copy today itself.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.